Several

ACTS
AND
LAWS

Passed by the Great and General Court or Assembly of Their Majesties Province of the Massachusetts-Bay, in

NEW ENGLAND.

Convened and Held at *Boston*, the Eighth Day of *June*. 1692.

Anno Regni Gulielmi, et Mariæ, Regis et Reginæ Angliæ, Scotiæ, Franciæ, et Hiberniæ, Quarto

K. Massachusetts, State of.
[Pub. Documents, Laws, etc.]

BOSTON,

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ACTS
AND
LAWS
OF
ENGLAND.

Province of the MASSACHUSETS-BAY.

An Act,

For Continuing the Local Laws, to Stand in Force, till November the 10th. 1692.

Be it Ordered and Enacted, By the Governour, Council and Repreſentatives Convened in General Aſſembly, and it is hereby, **Ordered and Enacted,** By the Authority of the *Same*, That all the Local Laws Reſpectively Ordered and Made by the Late Governour, and Company of the **Maſſachuſets-Bay,** and the Late Government of **NewPlymouth,** being not Repugnant to the **Laws of England,** nor Inconſiſtent with the Preſent Conſtitution and *Settlement* by **Their Majeſties Royal Charter,** Do Remain and Continue in **Full Force** in the Reſpective Places, for which they were Made and Uſed, until the Tenth Day of *November* Next; Except in Caſes where other Proviſion is or ſhall be made by this Court, or Aſſembly.

And all Perſons are Required to conform themſelves accordingly; And the ſeveral Juſtices are hereby Impowred to the Execution of ſaid Laws as the Magiſtrates formerly were.

Province of the Maſſachuſetts-Bay,

An Act

For Enforcing the Collecting and Paying in the Arrears of Publick Aſſeſsments, &c.

Whereas by the Late Governments within the Colonies of the *Maſſachuſets* and *New-Plimouth*, now by Their Majeſties ROYAL CHARTER United and Incorporated, Several Publick Taxes and Aſſeſsments have reſpectively been granted for the Security and Defence of Their Majeſties Subjects and Intereſts, and the Defraying of the Publick Charges ariſing by the War, with Their Majeſties Enemies, *French* and *Indians*, ſince the Firſt Day of *October*, ONE THOUSAND SIX HUNDRED EIGHTY NINE. And have been com.

committed unto the Constables or other Persons appointed Collectors within the Respective Towns and Villages, to Collect and Gather in, the Time prefixed for paying in of the same unto the Treasurers or Receivers respectively appointed in the said Colonies being some time since past, and a considerable part of every of the said Assessments being behind Uncollected, or at least not paid in unto the said Treasurers or Receivers, and the Country being Indebted unto several particular Persons for Service done, And others who have advanced Moneys for carrying on and defraying of the Charges arising by the War, upon the Credit of said Assessments.--

Be it therefore Ordered and Enacted By the Governour, Council, and Representatives Convened in General Assembly, And it is hereby **Ordered and Enacted** By the Authority of the same, That all and every Constable and Constables or other Collectors within the Respective Towns and Villages within this Province, who at any time since the said first day of *October*, One Thousand Six Hundred Eighty Nine have had any of the Publick Assessments granted as aforesaid committed unto them, or any of them to Collect and Pay in as aforesaid, who have not perfected their said Collections, and adjusted and issued their Accounts thereof with the Respective Treasurers as by Order of Court, or Warrant they are Directed, Be and are hereby fully Authorized and Impowred, to Collect, and Gather in the Arrearges of all such Publick Taxes and Assessments, And to do and Execute therein all and whatsoever shall or may be needful for the Effectual Pursuing of the Same, as by Order or Warrant they might at any time heretofore have Lawfully done by such Rules, Methods and Directions of Law, as have lately been used, and in Force; The Dismissing of any such Person or Persons, from his or their Office, of Constable or any alteration of the Goverment, since made notwithstanding. And all and every such Constables or Collectors, are likewise Enjoyned and Required to Make up, Settle, and Adjust their Accompts, & Payments, of all Publick Assessments committed unto them, as aforesaid with the Respective Treasurers, or Receivers, as *Per* Order or Warrant, they are Directed on or before the first Day of *November* next, after the Date hereof. And in case any Constable, or Collector, shall Neglect, and Fail of performing his Duty, in this behalf. That then the Sheriff of the County by Warrant from the Treasurer, shall Levy all such Arrears, by Distress, & Sale of Goods of such defective Constable or Collector. Returning the Overplus (if any be,) And if no Goods can be found, then to take the Body of such Constable or Collector, and Commit him to Prison. And all such Constables or Collectors where the Defect doth not happen, through their own Default, shall be Relieved by the Town, and the Select men are to make due provision for the same.

An Act

Province of the MASSACHUSETS-BAY.

An Act,

For Collecting the Arrears, of Town and County Rates.

WHereas ſeveral Taxes or Aſſeſsments, neceſſary for the Support of the Miniſtry, and other Publick Charges, ariſing in the ſeveral Counties, and Towns, within this Province, have been laid upon the Inhabitants, and Orderly committed to the Conſtables or Collectors, by the Select men, or Aſſeſſors, in the ſeveral Towns, ſince the firſt Day of *May*, in the Year, One Thouſand Six Hundred Eighty and Nine, and in many places remains uncollected, and unpaid; in whole, or in part.

Be it therefore Ordered, and Enacted, By His Excellency, the Governour, Council, and Repreſentatives, in General Aſſembly, and by the Authority of the ſame, it is **Enacted**, That all ſuch Conſtables and Collectors, be Authorized, and Required, and are hereby Authorized, and Required to Collect all ſuch Rates, or Aſſeſſments ſo committed to him, or them, that remain yet Uncollected, and to pay the ſame unto the County Treaſurer in each County Reſpectively, or Select Men in being in each Town Reſpectively where they were made, and to be improved to the uſe, or uſes, for the which they were granted, and to finiſh their Accompts with them, at or before the Tenth Day of *December* next enſuing, on Penalty of Forty Shillings *Per* Month, for every Month's default after the ſaid Tenth Day of *December*, to be recovered by the County Treaſurer, or Select Men Reſpectively of any ſuch Defective Conſtables or Collectors, at any Court of Pleas in the ſame county. And where any Conſtables or Collectors are Dead, or Removed, and the Aſſeſſments committed to them, remain Uncollected, or any part thereof; the Select Men are *Impowred* & Required, to depute meet perſons to Collect the ſame, and the perſons ſo deputed are required to Collect what ſo remains, and to pay the ſame accordingly.

And it is further ORDERED, that in any County, Town or Towns, where ſuch Tax or Taxes, have been agreed on ſince the ſaid firſt Day of *May*, and not Aſſeſſed upon the Inhabitants, the Select Men of the ſeveral Towns, are *hereby Required forthwith* to make ſuch Rates *or* Aſſeſſments, and commit them with *Warrant to their Conſtables*, on the like Penalty, of Forty Shillings Money *for* every Month's defect, and to cauſe them to be collected accompted *for* and paid as *aforeſaid*.

Province of the Massachusetts-Bay.

An Act,

For the Granting to Their Majesties an Assessment upon Polls and Estates.

WE Their Majesties Loyal and Dutiful Subjects, the Representatives of Their Majesties Province of the Massachusetts-Bay in *New England*, Convened in General Assembly, being sensible of the Necessity of Raising Moneys for the Defence of Their Majesties Subjects, and Interests, and Prosecution of the War against their *French* and *Indian* Enemies, and for the Defraying of other the Publick Charges of the Province, Do Unanimously and Chearfully grant unto Their Most Excellent Majesties, their Heirs and Successors, to the End and Intents aforesaid, a Rate or Tax to be Assessed upon the Free-holders, Inhabitants, and other Their Majesties Subjects, Resident within the said Province, in manner as is hereafter Expressed; to be paid in Money, or to the Satisfaction of the Treasurer.

And Pray that it may be **Enacted**, And be it accordingly **Enacted** By the Governour, Council and Representatives, Convened in General Assembly. And it is **Enacted and Ordained** by the Authority of the same. That the Treasurer do forthwith send forth his Warrants to the Select-Men of each Town within this Province, requiring the said Select-Men, to Cause the Inhabitants of such Town to meet together some time in the Month of *July* next; who being so Assembled, are Required to Choose one of their Free-holders to be a Commissioner for said Town, which Commissioner, together with the Select-Men within the Month of *August* following, shall make a true List of all the Male Persons in the said Town, from sixteen Years Old and Upwards; and a true Estimation of the Just Yearly Value and Income, so near as they can by all lawful means, which they may use, of all Estates Real and Personal, being, or reputed to be the Estate of all and every the Persons in the same Town, or under their Custody or Management. All which Persons and Estates, are by the said Commissioner and Select-Men to be Taxed and Assessed as followeth, *viz.* Every Person aforesaid at Ten Shillings by the Poll (except the Members of the Council, Settled Ministers, and Grammar School-Masters, and others Devoted to the Ministry, and Students of the College) and all Houses, Lands, Stock, Goods and Merchandizes and Estates whatever, Real and Personal at a quarter part of one years Value or Income thereof. All persons who through Age or Infirmity, are unable to manage their Affairs, are to be free of the Poll-Tax, at the discretion of the Select-Men.

And it is further **Enacted**, That the Commissioner of each Town, upon the First *Wednesday* of *September* next, shall carry the Lists of said Town, unto the Shire Town, within the same County, where the Commissioners of the

the several Towns shall meet together to Peruse, Examine, Correct and Perfect the said Lists; which Lists so Examined, Perfected and Signed by the major part of the said Commissioners so met, shall by one of the said Commissioners, whom the rest shall appoint thereto, be forthwith Transmitted unto the Treasurer, who upon the Receipt thereof, shall Issue forth his Warrants to the Constables of the Respective Towns, to Collect the Sum Total of each List upon the Inhabitants of such Towns according to their respective proportion: And in case any person or persons shall neglect, or refuse to make payment of the Sum or Sums to Assessed upon them; then to Levy the same by Distress and Sale of the Goods of such person or persons so neglecting or refusing: returning the Over-plus if any be, And the Constables are to pay the same unto the Treasurer the one half of the said Tax, at or before the Twenty Fifth of *December* next, and the other Half at or before the First Day of *May* following, and make up their Accompts with the said Treasurer by the first of June next, on pain of Forfeiting Ten Pounds in Mony unto Their Majesties, for the Support of the Government: As also to pay all Arrears of Said Assessments, The Said TEN POUND Forfeiture: And Arrears to be Sued for, and Recovered by the Treasurer, in the Inferiour Court of Pleas, in the County where such Constable lives, by Bill, Plaint, Action or Information.

Provided also, that where Persons, who are not Settled Inhabitants, and their Estates being Rated, yet are removed and gone before the same can be Collected, it shall be abated to the Constable that was to Collect the same. Certificate thereof being given by the Select-Men

And it is further Enacted by the Authority aforesaid, That this Act for the granting to Their Majesties an Assessment upon Polls and Estates, shall continue in Force only for this present Levy, and no longer. Any thing to the contrary notwithstanding.

Province of the MASSACHUSETS-BAY.

An Act,

For Impost, Excise, and Tonnage of Shipping

WE Their Majesties most Loyal, and Dutiful Subjects, the Representatives, of this their Majesties Province, Convened in General Assembly, being duely sensible of the great Charges and Expences, which have already arisen, and must necessarily be Daily Growing and Increasing, in Defending and Securing of Their Majesties Subjects and Interests, and in the Prosecuting of the War against their French and Indian Enemies: have Cheerfully and Unanimously Given and Granted, and do hereby Give and Grant

Grant unto their moſt Excellent Majeſties, Their Heirs and Succeſſours, to the End and Intent aforeſaid; and for the Defraying of other the neceſſary and Contingent Charges, in and about the Support of the Government of this their Majeſties Province, the ſeveral Duties Impoſt and Exciſe on the Wines, Liquours and Goods hereafter mentioned. And humbly beſeech their Majeſties to accept the ſame.

And that it may be Enacted, and be it Enacted, By the Governour, Council and Repreſentatives in General Court Aſſembled. **And it is hereby Enacted, and Ordained, By the Authority of the ſame,** That from and after the twenty ninth Day of this Inſtant *June*, In the Year of Our Lord, One Thouſand Six Hundred Ninety and Two there ſhall be paid by the Importer, for all *Wines or Liquors*, and *Goods* hereafter ſpecifyed that ſhall be Imported into this Province, the Rates hereafter mentioned.

That is to ſay, for every *Pipe of common Fyall Wine the ſumme of one Pound*, Every *Pipe of Paſſada wine, one Pound Fifteen Shillings*, Every *Pipe of Madera Wine, one Pound Ten Shillings*, Every *Pipe of Canary, Mallago, & Sherry Wines, Two Pounds* Every *Pipe of Port Wine, one Pound Five Shillings*, and ſo Proportionably for greater or leſſer quantities, and for every *Gallon of Rum* or other *Spirits* Imported as aforeſaid, Six pence. All which Impoſts aforeſaid, ſhall be paid in Currant Money of this Province, the one half at or before the Landing thereof, the other half to be allowed three Month's for payment, Provided there be Bond and Security given to the Commiſſioners appointed by this Act, or ſuch as they ſhall appoint, for the payment thereof at time as aforeſaid.

And it is further Enacted by the Authority aforeſaid, That every Merchant or other Perſon Importing any Wines or other Liquors into this Province, ſhall be allowed Twelve *per Cent* for Leakage: Provided ſaid Wines have not been filled up Aboard. And that every Hogſhead of Wine or other Liquors that ſhall not have full ſeven Inches left therein, and every Butt or Pipe of Wine, or other Liquors that hath not nine Inches left therein ſhall be accounted for Outs, and the Merchant or Importer to pay no Impoſt or Duty for the ſame.

And it is hereby further Enacted and Declared by the Authority aforeſaid That if all or any Wines or Liquors as aforeſaid be Landed, and afterwards be Exported out of the Province within Nine Months after Importation thereof, there ſhall be Repayed or Diſcounted by ſaid Commiſſioners, or their Order, unto the Importers or their Aſſigns, two third parts of what they Paid or Secured to be paid, for ſo much as they Export; he or they making Oath, That it is the ſame Wines, or Liquors, for which the whole Duty had been duly paid or ſecured to be paid: And that its Exported within the time limited as aforeſaid by this Act.

And it is alſo Enacted by the Authority aforeſaid, That for all Goods, Wares and Merchandizes that ſhall be Imported to any part of this Province, after the twenty ninth day of this Inſtant *June* (*Salt, Cotton-Wool, Proviſions*, and every other thing of the growth and product of *New-England*

gland only Excepted) there ſhall be paid by the Importer, the ſeveral Impoſts and Duties following, That is to ſay, For every Hundred Pound Sterling in *Engliſh* Merchandizes, at the prime coſt in *England* (the Invoices thereof to be produced and ſhown) the ſum of Ten Shillings.

For every Hogſhead of Sugar, one ſhilling.
For every Hogſhead of Molaſſes, ſix-pence.
For every Hogſhead of Tobacco, ſix-pence.
For every Ton of Logg-wood, one ſhilling.

And for all other Commodities, Goods, Wares, and Merchandizes (except as before excepted) One Penny for every Twenty Shillings value here. All Entries where the Impoſt or Duty to be paid, doth not exceed Four Shillings, to be made without Charge to the Importer. And not more than ſix-pence to be paid for any other ſingle Entry to what value ſoever.

And the better to prevent Fraud, **It is further Enacted,** By the Authority aforeſaid, That all Merchants, Factors, or other Perſon or Perſons, Importers, being Owners of, or having any of the Wines, Liquors, Goods, Wares, and Merchandizes Conſigned to them, that by this Act are liable to pay Impoſt or Duty. Such Perſon or Perſons ſhall by themſelves, or, order, cauſe the ſame to be Entred with ſaid Commiſſioners or ſuch as they ſhall appoint; and pay their Duty, or ſecure the ſame to be paid, as by this ACT is provided, before ſuch Wines, Liquors, Goods, or Merchandize be Landed or Put into any Boat or Veſſel, in order to be Landed, on the Forfeiture of ſuch Wines, Liquors, Goods, Wares, and Merchandize, ſo Landed, or Put into any Boat or Veſſel, in order to be Landed: One third part to Their Majeſties, one third part to the Governour, one third part to the Informer, that ſhall Sue for the ſame, by Bill, Plaint or Information, in any Court of Record within this Province: Any thing in this Act, or any other to the contrary notwithſtanding.

And all manner of Perſons, are hereby required, to be aiding, and aſſiſting the ſaid Commiſſioners, their Agents, the Informer, Diſcoverer or Seizor of ſuch Wines, Liquors or Goods ſo Landed or Unloaden contrary to the true Intent and Meaning of this Act.

And it is further Enacted, That it ſhall and may be lawful for ſuch as are Impowred or Improved by the Commiſſioners, or for the Informer or Diſcoverer, by Warrant from the Lieutenant Governour, or any Juſtice of the Peace, within this Province, (to that purpoſe firſt obtained) with one Conſtable or more, to Search according to Law, all manner of Houſes, Cellars, & Ware-houſes, for ſuch Wines & Liquors, as they, or any of them ſhall be informed were carried there to be Concealed, in prejudice to the true meaning of this Act, and with Intent to defraud Their Majeſties of their ſaid Duties. And ſuch Wines and Liquors ſo found, ſhall be forfeited and condemned in manner and form before mentioned. Always provided

that ſuch Search be made in the day time, and within the ſpace of one month after the Offence ſuppoſed to be committed.

Provided alſo, That if the Information, whereupon any Houſe ſhall come to be Searched, ſhall prove to be falſe, That then, and in ſuch caſe, the Party injured ſhall recover his full Damages and Coſts againſt the Informer, by Action of Treſpaſs to be therefore brought againſt ſuch Informer.

And it is further Enacted and Ordained, By the Authority aforeſaid, That there ſhall be given and granted, and paid unto Their Majeſties, their Heirs and Succeſſors for the Uſes aforeſaid. An Exciſe upon all *Wines, Brandy, Rhum,* and other Diſtilled Liquors, *Perry, Beer, Ale, Cyder* and *Methiglin*, that ſhall be ſold by Retail in any Town or Place within this Province, by thoſe that ſhall Retail the ſame, in manner and form as is hereafter Expreſſed and Declared: That is to ſay,

For every Gallon of common Fyal-wine, the Sum of Six-pence.

Every Gallon of Paſſado, Malago, Canary, and Sherry, the ſum of Twelve-pence.

Every Gallon of Madera, the ſum of Eight-pence.

Every gallon of Rhum, and all other ſorts of Diſtilled Spirits, the ſum of One Shilling.

Every Barril of Perry, Beer, Ale, and Cyder, the ſum of One Shilling and ſix-pence.

And every gallon of Metheglin, the ſum of Four-pence.

All Currant Money of this Province, and after that Rate, for any greater or leſſer Quantities.

And for the due and orderly Collecting and Receiving of the Exciſe aforeſaid.

It is hereby further Enacted and Declared by the Authority aforeſaid, That all Retailers of *Wine, Brandy, Rhum,* and other Diſtilled Liquors, *Perry, Beer, Ale, Cyder* and

and *Metheglin* within this Province, having any of the ſaid Liquors in their Reſpective Houſes, or elſe-where belonging unto them, at the time of the Publiſhing of this Act, ſhall make due Entry, and pay the Duties and Exciſe aforeſaid, for the ſame as is herein before-mentioned. And upon their further Receipt or Purchaſe of all, or any of the Liquors before-mentioned, ſhall within twenty four Hours after the Receipt or Purchaſe thereof, make Entry with the ſaid Commiſſioners or ſuch Perſon or Perſons that ſhall be appointed to Receive and Collect the ſame, and pay the Duties and Exciſe aforeſaid, under the penalty of Forfeiture of all ſuch Liquors as ſhall be found in any Retailers Houſe, not being duely Entred, and the Exciſe paid as aforeſaid, and every Retailer who ſhall make his own Cyder, and Metheglin, Brew his own Beer, or Ale, or Diſtill ſtrong Liquors, ſhall from time to time, and at all times, when he or they ſhall make, brew, or diſtill the ſame, make Entry with ſaid Commiſſioners, or ſuch other Perſon or Perſons as for that purpoſe ſhall be appointed, of all ſuch Cyder, Metheglin, Ale, Beer, or Diſtilled Liquors, by them made, brewed or diſtilled, and pay the Exciſe as aforeſaid, under the like penalty and forfeiture of all ſuch Liquors as ſhall be found in any Retailers Houſe not Entred, and the Exciſe thereof not paid in manner before Expreſſed, and to that end, it ſhall and may be lawful to and for ſuch *Officer* or *Officers* as by the *Commiſſioners* ſhall be *Appointed* and *Impowred*, when, and ſo often, as he or they ſhall think fit, in the day time, to *Enter* into any *Retailers* Houſe, *Cellar or Ware-houſe* to *Search for* ſuch Wines *or Liquors*, &c. as *are* not duely *Entred*, nor the Exciſe paid *for* the ſame, and ſuch Wines *or Liquors*, &c. ſo found, to *Seiz* and *Secure* in *order* to the *Tryal*, & Conviction thereof, & to gage any Cask or Casks for that end & purpoſe. *Provided always, That it ſhall and may be lawful to and for the Commiſſioners to agree with any Retailer for his Exciſe, for one whole year, in one intire Sum to be paid quarterly, as they in their diſcretion ſhall think fit to agree for, without making any Entry as aforeſaid.*

And it is further Enacted by the Authority aforeſaid *That no Perſon or Perſons, on any pretence or colour whatſoever for the future, ſhall or may take in, receive, harbour, entertain, keep or conceal, in his or their Dwelling-Houſes, Cellars, or Ware-houſes, any quantity or Parcel of Wines or other Liquors, belonging to any Licenſed Perſon or Perſons, Retailer or Retailers, under the penalty of forfeiture of Twenty Pounds for every ſuch Quantity or Parcel of Wines or other Liquors ſo taken or received, harboured, entertained, kept and concealed as aforeſaid.*

All

All which Penalties and Forfeitures (one half to Their Majeſties, their Heirs and Succeſſors, for the Support of the Government, the other Moiety to the Informer that ſhall Sue for the ſame) ſhall be recovered by Bill, Plaint or Information, in any Court of Record within this Province wherein no Eſſoyn, Protection, Wager of Law, *Non vult ulterius Proſequi* or Injunction ſhall be allow'd. Any thing in this Act or any other to the contrary thereof in any wiſe notwithſtanding. And all manner of Perſons are hereby Required, to be aiding and aſſiſting to the Officer or Officers, as ſhall be appointed to Collect and Receive the Exciſe aforeſaid in the due Execution of their Reſpective Offices.

And it is further Enacted by the Authority aforeſaid, That there be Commiſſioners nominated, appointed and Commiſſioned by the Governour and Council, to Receive all Entries, and to tranſact and manage all and whatſoever doth relate unto this Act, and the due obſervance thereof; which Commiſſioners ſhall Appoint and Employ ſuch and ſo many Officers under them, as they ſhall find needful for that purpoſe, the ſaid Commiſſioners, and all other Officers to be Employed under them, before their Entring upon the Execution of their reſpective Offices, ſhall be Sworn before the Governour, or Lieutenant Governour, or one, or more Members of the Council, or two Juſtices of the Peace, to deal truly and faithfully in the Execution of the ſame; which aforeſaid Commiſſioners for their own Service and Labour in this Affair, and the payment of all their Under-Officers and Charges whatſoever ſhall be allowed, one juſt ſixth part of all ſuch Moneys as ſhall be Collected and brought into the Publick Treaſury, by vertue of this Act, the ſaid Commiſſioners to account with the Treaſurer for all their Collections.

And it is likewiſe further Enacted and Declared by the Authority aforeſaid, That every Ship or Veſſel above Twelve Tons coming into any Port or Ports of this Province, to Trade or Traffick, the major part of the Owners whereof are not belonging to this Province, ſhall every Voyage they make, pay twelve pence *per* Tun, or one pound of good and new Gunpowder for each Tun. Such Ship or Veſſel is in Burthen, to be imployed for the Supply of Their Majeſties Caſtles and Forts within this Province, to be received by the Treaſurer, or ſuch other, as in the ſeveral Ports or Places ſhall be appointed to receive the ſame.

And it is hereby Enacted and Declared by the Authority aforeſaid, That this preſent Act, Entituled, An Act, *For Impoſt, Exciſe, and Tonage of Shipping*, ſhall remain and continue in force for the term and ſpace of one whole year, and no longer: Any thing herein before contained to the contrary thereof in any wiſe notwithſtanding.

An

Province of the MASSACHUSETS-BAY.

An Act,

For the Erecting of a Naval-Office.

WHereas by Act of Parliament, made in the Fifteenth Year of King *Charles* the Second, Entituled, *An Act for the Encouragement of Trade*, It is Provided, That no Ship or Veſſel, coming to any Land, Iſland, Plantation, Colony, or Territory, or Place, to His Majeſty or Heirs and Succeſſors belonging in *America*, ſhall Lade or Unlade any Goods or Commodities whatſoever, until the Maſter or Commander of ſuch Ship or Veſſel, ſhall firſt have made known to the Governour of ſuch Land, Iſland, Plantation, Colony Territory or Place, or ſuch other Perſon or Officer, as ſhall be by him thereunto Authorized and Appointed, the Arrival of the ſaid Ship or Veſſel, with her Name, and the Name and Surname of her Maſter or Commander, and have ſhewn to him, that ſhe is an *Engliſh-built* Ship, or made good, by producing Certificate, that ſhe is a Ship or Veſſel free, and Navigated with an *Engliſh* Maſter, and three fourth parts of the Mariners *Engliſh* Men, under the pain of the Loſs of Ship or Veſſel and Apparel. Now for the due and more effectual obſervation of ſaid Act of Parliament, and that all undue Trading contrary to the ſaid Act may be prevented in this Their Majeſties Province of the Maſſachuſets-Bay.

Be it Enacted and Ordained by the Governour, Council and Repreſentatives in General Aſſembly Convened.

And it it is hereby Enacted and Ordained by the Authority of the ſame. That in the ſeveral Ports and Places hereafter mentioned, there ſhall be a Naval-Office Erected, wherein the Officers by the Governour to be appointed, for the ends aforeſaid, ſhall duely attend: That is to ſay, At *Boſton*, for the Port of *Boſton* and *Charleſtown*; at *Salem*, for the Port of *Salem* and *Marble-head*; at *Ipſwich*, at *Newbury*, at *Kittery*, at *Plimouth*, and at *Briſtol*: At which Naval-Office, all Maſters of Ships or Veſſels arriving in this Province, ſhall make their Entry with the Officer, according as the ſaid Act of Parliament requires.

And be it alſo Enacted by the Authority aforeſaid, That all Maſters of Ships or Veſſels, Sailing out of this Province, ſhall before their Sailing out thereof, Clear their ſaid Ships or Veſſels in the ſaid Naval-Office. And that an Officer be appointed at *Martha's Vineyard*, and another at *Nantucket*, to Enter and Clear all Veſſels paſſing to and from thence, but not to be accounted Ports, for the Unlivery or Lading of any of the Enumerated Commodities. And the Fees in the ſaid Office to be demanded and received, ſhall be theſe following, and no other, *viz.*

	P.	Sh.	P.
For Entring and Clearing all Ships and Veſſels Trading to this place from Abroad (excepting, *Connecticut*, *Rhode-Iſland*, *Narraganſet*, and *New-Hampſhire*) *viz.* Two Shillings Entring, and Two Shilling Clearing.	00	4	00
Examining and Recording Certificates that Bonds are given acording to the Act of Navigation, Two Shillings.	00	2	00
A Bond given according to the Act of Navigation, and for the Copying of the ſame, to be Tranſmitted for *England*. Three Shillings.	00	3	00
A Certificate of the Lading. Two Shillings.	00	2	00
For Entring and Clearing all Veſſels Trading to and from *Connecticut*, *Rhode-Iſland*, *Narraganſet*, and *New-Hampſhire*, Five Shillings *per* Year, or Twelve-pence each Voyage, at the Maſters Choice.	00	1	00
A Certificate for Veſſels Lading of Goods, carried in them from Port to Port, within the Province. One Shilling	00	1	00
A Certificate for Goods of the Growth of *Europe*, carried out of the Province, to other Plantations. Two Shillings.	00	2	00
For every Oath Adminiſtred. Six-pence.	00	00	6

And the ſaid Naval Officer is hereby Impowred to Adminiſter the Oaths, required by ſaid Act of Parliament.

Province of the Maſſachuſets-Bay.

An Act,

For Making the Former Bills of Credit, to Paſs Currant, in Future Payments.

WHereas Their Majeſties Affairs within this *Province*, do require a ſpeedy advance for the Defence of the *Province*, and the Proſecution of the *War*, againſt *Their French and Indian* Enemies, and there being no Stock at preſent in the Treaſury,

Treaſury to ſupply the ſame, or to defray other the Neceſſary Charges for Support of the Government.

Be it therefore Ordained, and Enacted By the Governour, Council and Repreſentatives, Convened in General Aſſembly. **And it is Enacted, by the Authority of the ſame,** That all Bills of Public Credit iſſued forth by Order of the *General Court* of the late *Colony* of the *Maſſachuſets-Bay*, ſhall paſs Currant within this *Province*, in all Payments Equivalent to Money, for the ſum in each Bill reſpectively mentioned (excepting all Specialties and Contracts made before Publication hereof;) and in all Publick payments, at Five *Per Cent*, advance. And for Encouragement to ſuch Perſon or Perſons, as are Poſſeſſors of ſaid Bills, to lend them for the Service of the Publick. It is further **Enacted, by the Authority aforeſaid,** That they and every of them, who ſhall ſo do, be ſecured by the Publick Taxes and other Revenues, ariſing within this *Province* already Granted, and ſhall be reimburſt and paid in money within the ſpace of Twelve Moneths, out of the ſaid Taxes and Revenues, ſuch ſum and ſumms, as he or they ſhall Reſpectively ſo lend, and deliver unto the Treaſurer of this Their Majeſties Province, in Bills as aforeſaid, to be made to appear by Receipt. Provided that ſuch of ſaid Bills, and no other, as ſhall be Indorſed by Capt. *Jeremiah Dummer*, and Mr. *Francis Burroughs*, ſhall be accounted Currant, Excepting for payment of thoſe Rates, that were Granted before the Arrival of His Excellency the Govenour. And the ſaid Capt. *Jeremiah Dummer*, and Mr. *Francis Burroughs*, are hereby appointed to Receive in all Bills which any Perſon or Perſons ſhall lend as aforeſaid, and deliver the ſame to the Treaſurer.

Provided alſo, that all Perſons, who ſhall lend their Bills, as aforeſaid, ſhall have Credit for all Summs, which they ſhall have to pay in all publick payments whatſoever, being *Bona Fide*, for their own account, to be allowed them by diſcount, upon a Note from the Treaſurer.

Province of the Massachusets Bay.

An Act,

For Transporting of part of the Militia, of the Province, Or Obliging Them to March to the Relief of the Neighbouring Provinces, or Colonies.

FOrasmuch as in this time of War, there may be Occasion for the Raising of Souldiers, and Transporting or Marching of them out of the Limits of this Province, into the Neighbouring Provinces and Colonies of *New hampshire*, *Rhode Island*, *Connecticut*, *Narraganſett*, or *New York* for the prosecution of the *French* or *Indian* Enemy, and the Defence of Their Majesties Subjects, and Intrests. Be it Enacted and Ordained by the Governour Council and Representatives convened in General Court, And it is Enacted by the Authority of the same, That in the Vacancy of the General Assembly, it shall be in the Liberty of His Excellency the present Governour, by and with the advice and consent of the Council, to Raise, and Transport, such part of the Militia of this Province, as they shall find needful, or Oblige them to March into any of the before-named Provinces or Colonies, for the

the ends aforeſaid, at any Time or Times, within the Space of Six months next, and at no time afterward, without their Free and Voluntary conſent, or the conſent of the Great and General Court or Aſſembly; any thing in this preſent Act, contained to the contrary thereof, in any wiſe notwithſtanding.

Province of the Maſſachuſetts Bay.

An Act,

For the Holding of Courts of Juſtice.

FOrasmuch as the orderly Regulation, and Well-Eſtabliſhment of Courts of Juſtice is of great Concernment. And the Publick Occaſions with reference to the War, and otherwiſe, being ſo Preſſing at this Seaſon, that this Court cannot now conveniently Sit longer to Adviſe upon, and fully Settle the ſame. But to the Intent that Juſtice be not Obſtructed, or Delayed.

Be it Ordained and Enacted by the Governour, Council and Repreſentatives, Convened in General Aſſembly, and it is Ordained by the Authority of the ſame. That on or before the laſt *Tueſday* of *July next*, there be a General Seſſions of the Peace, Held and Kept in each Reſpective County within this Province, by the Juſtices of the ſame County, or three of them at the leaſt, (the firſt Juſtice of the *Quorum* then preſent to Preſide) who are hereby Impowred to Hear and Determine all Matters Relating to the Conſervation of the Peace, and whatſoever is by them Cognizable according to Law. And to Grant Licenſes to ſuch Perſons within the ſame County, being firſt approved of

by the Select-Men of each Town, where such Perſons Dwell, whom they ſhall think fit, to be Employed as Inholders, or Retailers of Wines, or ſtrong Liquors. And that 4 Seſſions of the Peace be ſucceſſively Held and Kept as aforeſaid, within the ſeveral Counties at the ſame times, and places, as the County Courts, or Inferior Courts of Common Pleas, are herein after appointed to be Kept.

And it is further enacted by the Authority aforeſaid, That the County Courts, or Inferior Courts of Common-Pleas, be Held and Kept in each Reſpective County, by the Juſtices of the ſame County, or three of them at the leaſt, (the firſt Juſtice of the *Quorum* then preſent to Preſide) at the ſame times and Places they have been formerly Kept according to Law, for the Hearing and Determining of all Civil Actions ariſing or happening within the ſame, Triable at the Common Law, according to former Uſage. The Juſtices for Holding and Keeping of the ſaid Court within the County of *Suffolk*, to be particularly appointed and Commiſſioned by the Governour, with the Advice and Conſent of the Council. And that all Writts, or Attachments ſhall Iſſue out of the Clerks Office of the ſaid ſeveral Courts. Signed by the Clerk of ſuch Court, directed unto the Sheriff of the County, his Under-Sheriff, or Deputy: The Jurors to Serve at ſaid Courts, to be Choſen according to former Cuſtome, by and of the Freeholders, and other Inhabitants, qualified as is directed in Their Majeſties Royal Charter.

This Act to Continue unrill other proviſion be made by the GENERAL COURT or ASSEMBLY.

FINIS.